

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEVIN W. MEANS,

Defendant.

1:05-cr-00360-OWW

**ORDER FOLLOWING
REMAND**

[Doc. 30]

On November 17, 2006, the Honorable Oliver W. Wanger entered a Memorandum Decision and Order Re: Appeal in this case. District Judge Wanger denied Defendant's motion to dismiss and set aside his conviction, and affirmed the conviction. He further remanded this case for the undersigned to "consider the sentence imposed, and whether Means should be given any time credit against his federal term of probation by virtue of any delay in presentment on the federal charges." After duly considering these issues, the court finds, as it did previously, that Defendant has failed to demonstrate any illegality in the actions of the government in this matter. The court therefore DECLINES to alter the

1 sentence imposed or to award Defendant credit against his federal term of probation based on
2 any delay in presentment.

3 IT IS SO ORDERED.

4 **Dated:** August 22, 2007

/s/ William M. Wunderlich
UNITED STATES MAGISTRATE JUDGE